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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 No. CR 12-00155 EMC
11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 v.)
14 JAVIER FRANCISCO REYES,)
15 Defendant.)
16)
17)
18)
19)

20 **STIPULATION**

21 The Court previously set a briefing schedule on defendant's motion with a hearing date of
22 August 29, 2012. For reasons relating to continuity of counsel and effective preparation of counsel,
23 undersigned defense counsel requests that the hearing date be continued to September 26, 2012 with
24 the reply brief due September 19, 2012 (undersigned counsel was originally going to request a three-
25 week continuance but has an evidentiary hearing scheduled before Judge Alsup on September 19,
26 2012). The government has no objection to this request.

Time until August 29, 2012 has previously been excluded by court order. The parties also

1 agree that the time between August 29, 2012 and September 26, 2012 (or some date thereafter
2 convenient to the Court) should be excluded under the Speedy Trial Act; the continuance is
3 necessary for effective preparation of counsel and continuity of counsel, 18 U.S.C. § 3161(h)(7)(A)
4 and (h)(7)(B)(iv), and the ends of justice served by granting such a continuance outweigh the best
5 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6 SO STIPULATED.

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8 Dated: 8/20/12

MELINDA HAAG
United States Attorney

10
11 /s/
J. MARK KANG
Special Assistant United States Attorney

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13 Dated: 8/20/12

14 /s/
SHAWN HALBERT
Attorney for Defendant

1 **~~PROPOSED~~ ORDER**

2 For the reasons stated above, the Court modifies the motion briefing and hearing date as
3 follows: Defendant shall file his reply motion by September 19, 2012 and the Court will hear the
4 motion on September 26, 2012 at 2:30 p.m. [~~or _____, 2012~~].

5 IT IS FURTHER ORDERED that the time between August 29, 2012 and September 26, 2012
6 should be excluded under the Speedy Trial Act; the continuance is necessary for effective
7 preparation of counsel and continuity of counsel, 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), and
8 the ends of justice served by granting such a continuance outweigh the best interests of the public
9 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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11 SO ORDERED.

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14 DATED: August 20, 2012

